

**Fleming County Project Development Board  
201 Court Square, Courthouse Annex  
Flemingsburg, KY 41041**

AOC CONSTRUCTION FILE  
COUNTY: Fleming  
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SUBMITTED BY: MVK  
DATE: 4/29/08

**Record of Special Call Meeting Minutes, February 19, 2008, 5:00 pm Eastern**

The meeting was called to order at 5:02 pm by Chairperson CJE Larry H. Foxworthy. Roll Call was completed as noted below:

**Present:** Honorable Larry H. Foxworthy, Pam Lowe, Marvin W. Suit, David DeAtley, Honorable Stockton B. Wood, J. Scott Brown, Honorable W. Todd Walton II, Mayor Louie Flanery

**Other Attendees:** Garlan Vanhook and Michael Kier, AOC; Sam Howard and Jason Walton, Trace Creek Construction; Michael Carroll, Brandstetter Carroll, Inc.; Ryan Barrow, Ross, Sinclair and Associates

A motion was made to review appraisals in closed session at 5:04 PM. Motion by Walton. Seconded by DeAtley. All in favor.

A motion was made to go into open session at 5:56 PM. Motion by Wood. Seconded by Walton. All in favor.

Chairperson Foxworthy stated after review of appraisals (with and without 10% added allowance) the costs for the judicial center to be located on North Main Cross would be over budget. Foxworthy recommended moving on to another location. Appraisals are open to the public. Current downtown site proposals, except East Main Street proposal, are still active for future consideration and have not been rejected. Vanhook stated that with the evidence that was presented, he believes it is appropriate to allow the board to look at areas outside of downtown and that due diligence was present in assessments.

A motion was made by Judge Walton to look at other potential locations and seconded by Scott Brown. Suit and Flanery voted nay. Wood, Walton, Lowe, Foxworthy, and DeAtley voted Yea. Motion carried.

Foxworthy stated they will keep an open mind for considering all locations. Public asked if West Water site was eliminated. Foxworthy stated that site would also be out of budget.

A motion was made to approve the minutes of February 5, 2008. Motion by Suit. Seconded by DeAtley. All in favor.

Brandstetter Carroll's representative, Michael Carroll, requested board's recommendations of additional sites to evaluate. Vanhook prefers a site relative to downtown with road frontage presence and reminded the board to select the "best" site whether offered or not. Foxworthy asked board for their preference of other potential sites. Walton suggested the current Fleming County Hospital site with its prominent location within city limits, good access, large parking area and future development potential. Foxworthy stated the land was the county's but deeded to Hospital Taxing District mandated by rural development loan requirements. Wood stated he would like an assessment of the Cheap's Estate. DeAtley stated he prefers the L & M Enterprises property since there are no costs for demolition or appraisal and the site was ready to build on. Suit and Flanery stated they were not giving up on a downtown location. Flanery stated he told Chief Justice Lambert he would look at downtown first. Flanery said the hospital has not been offered and he had not lost interest or focus of downtown area. Flanery sits on the hospital board.

Brown stated he agrees with assessing outside options and would like to review the Cheap's Estate. The board discussed how and who will approach hospital board. DeAtley stated if the board was not going to use the L & M Enterprise site they should consider releasing it so L & M can move on and sell it.

Vanhook suggested Brandstetter Carroll develop generic studies of Cheap's Estate and L & M Enterprise locations and the board's chairperson talk with hospital board, obtain plat of hospital property. All of which will allow for relevant information regarding impacts of these sites vs. downtown sites be evaluated. Vanhook stated progress and development needs to go forward and facts are needed to evaluate other opportunities.

Mayor Flanery stated there were two plats for FCH property. Carroll and Vanhook believe the plats would be sufficient to gain information to develop assessment with reasonable numbers. Vanhook stated the County Judge Executive could contact FCH. Foxworthy stated additional site proposals, either downtown or not, will still be accepted and there is no deadline for accepting site proposals. Public asked if the same procedure would be used in site selection and process of elimination. Public requested consistency in evaluations. Vanhook stated the board will have the architect's to look at the three sites and develop assessment to review and encouraged community participation. Vanhook stated he had the authority and would not approve the East Main Street site because the site does not represent the Administrative Office of the Courts' best interest. A motion was made by Judge Walton to adjourn, seconded by Pam Lowe. No action taken. Foxworthy stated appraisals needed to be completed on Cheap's Estate and L & M Enterprise sites and the hospital contacted.

Suit stated: In 2006, the Main Street program received monies to refurbish downtown and selected a person to head up this project. The 2006 revision of AOC's rules say the first choice was to be downtown, which is what Wally Thomas presented earlier to the board. At that time, landowners were contacted and all but one made an offer and during the first meetings of the board, four wanted downtown and four wanted elsewhere. The consideration per AP Part X says to keep near existing courthouse and we did that by narrowing it down to two sites. We ran into problems with the backyard and conditions of hotel and with the bank selling part of the lot. There are objections to everything, even condemnation. Suit feels we are to pursue the downtown location and that it was common for property owners to ask for top dollar but the appraised price has not been offered to land owners for negotiation. Suit stated he has the same obligation to pursue downtown, it needs to be downtown and not outside, and will talk with land owners and negotiate. Lowe stated then talk to land owners and see if they are interested. Judge Walton stated the demolition, utility relocation and parking costs issues will still keep it over priced. Foxworthy stated that 10% was added to appraised value in assessments. Vanhook stated it was reasonable in negotiation to use 10% add on and suggested discussing with fiscal court but the fiscal court is limited to MAI appraised values by law. Discussion regarding downtown utilities was held. Mayor Flanery stated it was the architect's desire to put utilities underground in downtown area.

A motion was made to proceed with obtaining appraisals and site assessments on Cheap's Estate site, L & M Enterprise site and hospital site. Motion by Wood. Seconded by Lowe. All in favor.

The March 4, 2008 meeting was cancelled to allow for appraisals and site assessments to be completed. The next meeting was rescheduled for March 18, 2008 at 5:00 PM at the courthouse's main court room. Foxworthy will contact Mary Clay for appraisals and Fleming County Hospital Interim CEO, Lewis Bremmer, to request placement on February 25, 2008 meeting agenda to discuss the potential site. Mike Carroll stated he would have assessments ready by the next meeting.

A motion was made to adjourn at 6:54 PM. Motion by Wood. Seconded by Lowe. All in favor.